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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/724,889	11/28/2000	Bryan Julien	300622003111

CONFIRMATION NO. 7394

FORMALITIES LETTER



OC00000006012834

Carolyn A. Favorito
Morrison & Foerster LLP
Suite 500
3811 Valley Centre Drive
San Diego, CA 92130-2332

Date Mailed: 04/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Chaitan Khosla
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Sectel

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

13

Application Number

09/724,889

Filing Date

November 28, 2000

First Named Inventor

Bryan JULIEN, et al.

Group Art Unit

1652

Examiner Name

Not Yet Assigned

Attorney Docket No.

300622003111

ENCLOSURES (check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declarations☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53☐ Assignment Papers
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance Communication to
Group☐ Appeal Communication to Board of
Appeals and Interferences☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify
below):COMMUNICATION REGARDING NOTICE
TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION; COPY
OF NOTICE TO FILE MISSING PARTS;
COMBINATION DECLARATION / POWER
OF ATTORNEY PREVIOUSLY FILED;
RETURN POSTCARD

Remarks

SIGNATURE OF APPLICANT, ATTORNEY OR AGENTFirm
or
Individual NameCAROLYN A. FAVORITO
MORRISON & FOERSTER
3811 VALLEY CENTRE DRIVE, SUITE 500
SAN DIEGO, CA 92130

Signature

Date

MAY 15, 2001

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on May 15, 2001.

Karen LePari

sd-39964



PATENT
Docket No. 300622003111

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on May 15, 2001.

Karen LePari

Karen LePari

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Bryan JULIEN, et al.

Serial No.: 09/724,889

Filing Date: November 28, 2000

For: RECOMBINANT METHODS AND
MATERIALS FOR PRODUCING
EPOTHILONE AND EPOTHILONE
DERIVATIVES

Examiner: Not assigned

Group Art Unit: 1652

**COMMUNICATION REGARDING NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION**

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Notice to File Missing Parts of Application Under
37 C.F.R. § 1.53(f) dated April 26, 2001, time for response to which is set to expire June 26,
2001. Therefore, this response is timely filed.

Attached please find a copy of the combined Declaration and Power of Attorney signed
by the inventors as filed with the application on November 28, 2000.

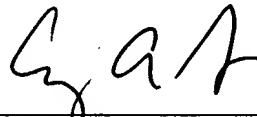
According to the Notice (attached hereto for your reference), the signature of inventor
Chaitan Khosla is missing from the declaration. However, the enclosed declaration does contain

Chaitan Khosla's signature. Therefore, it is believed that no fee is required because the error was on the part of the Patent and Trademark office. The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this communication and associated documents, or to credit any overpayment to **Deposit Account No. 03-1952**. A duplicate copy of this transmittal is enclosed for that purpose.

Respectfully submitted,

Dated: May 15, 2001

By:



Carolyn A. Favorito
Registration No. 39,183

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